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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

THE PEOPLE,

Plaintiff and Respondent,

v.

MEGGEN G. MASSEY,

Defendant and Appellant.

B292590

(Los Angeles County  
Super. Ct. No. BA440307)

APPEAL from a judgment of the Superior Court of Los Angeles County, Ray G. Jurado, Judge. Affirmed with directions.

Susan Morrow Maxwell, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance by Plaintiff and Respondent.

In 2016, Meggen G. Massey (defendant) pled no contest to arson of an inhabited structure (Pen. Code,<sup>1</sup> § 451(b)). At a later restitution hearing, the People presented documentary evidence that the fire set by defendant resulted in damages totaling \$63,587.29. Defendant did not object to the admissibility of the evidence and the trial court ordered defendant to pay that amount as restitution.

Defendant subsequently filed a habeas petition seeking to withdraw her plea for reasons unrelated to the amount of victim restitution. We granted her petition (*In re Massey* (Mar. 22, 2018, B283500) [nonpub. opn.]), and on remand defendant pled no contest to arson of a structure (§ 451(c)). The trial court sentenced defendant to the mid-term of four years in prison. The court also ordered defendant to pay victim restitution in the “previously determined” amount of \$63,587.29 (§ 1202.4(f)).

This court appointed counsel to represent defendant on appeal. We granted counsel’s request to augment the record with the reporter’s transcript of the restitution hearing. After examining the record, counsel filed an opening brief raising no issues.<sup>2</sup> On May 30, 2019, this court advised defendant that she

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<sup>1</sup> Undesignated statutory references that follow are to the Penal Code.

<sup>2</sup> Concurrent with the filing of the opening brief, counsel requested we take judicial notice of an August 4, 2016, letter from counsel for State Farm Insurance Company to “Los Angeles County DA,” which stated the insurance company paid a claim to its insured in the amount of \$63,587.29. The letter bears a trial court stamp indicating it was filed on the same day as the restitution hearing. We grant the request for judicial notice.

had 30 days to personally submit any contentions or issues she wished us to consider. We received no response.

We have examined the appellate record and are satisfied defendant's attorney has complied with the responsibilities of counsel and no arguable issue exists. (*Smith v. Robbins* (2000) 528 U.S. 259, 278-82; *People v. Kelly* (2006) 40 Cal.4th 106, 122-24; *People v. Wende* (1979) 25 Cal.3d 436, 441.) We did, however, discover a minor error in the abstract of judgment. It does not specify the \$63,587.29 in victim restitution ordered. An amended abstract of judgment must be prepared to fix the error.

## DISPOSITION

The clerk of the superior court is directed to prepare an amended abstract of judgment that reflects the \$63,587.29 in victim restitution ordered by the court and to deliver a copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation. The judgment is affirmed in all other respects.

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BAKER, J.

We concur:

RUBIN, P. J.

KIM, J.